IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 525 OF 2006

SANTANA FERNANDES AND 15 ORS., ... Petitioners
Versus
THE STATE OF GOA THROUGH THE CHIEF SECRETARY AND ANR., ... Respondents

Mr. M. S. Sonak, Advocate for the Petitioners.

Mr. S. S. Kantak, Advocate General with Ms. L. Dharwadkar, Additional Government Advocate for the Respondents.

Coram:- S.A.BOBDE &
N. A. BRITTO, JJ.

Date:- 9th April, 2007

ORAL ORDER

Rule returnable forthwith.

After hearing the matter for some time, it appears that the Petitioners have moved objections under Section 5-A of the Land Acquisition Act in respect of the impugned acquisition. Having regard to the fact that the petitioners are challenging the Notification under Section 4, we are of the view that it is premature in view of the Judgment of the Supreme Court in HMT Ltd. and another v. Mudappa and others reported in 2007 AIR SCW 1058.

In this view of the matter, we consider it appropriate to dismiss the petition as being premature and therefore not maintainable. The Petitioners shall be however at liberty to amend the objections under Section 5-A in writing which shall thereafter be considered by the Respondents. All issues raised in this petition are kept open.

Petition disposed of.

S.A.BOBDE, J.

N. A. BRITTO, J.

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